



## Staff Report

STAFF REPORT DATE: April 17, 2019

HEARING DATE: April 24, 2019

TO: Interested Parties

FROM: Sambo Kirkman, Senior Planner

PROPOSAL: **3400 SW 125<sup>th</sup> Avenue 5-Plex  
AJD2019-0004 / DR2019-0013**

LOCATION: The site is located at 3400 SW 125<sup>th</sup> Avenue, north of SW Center Street, specifically identified as Tax Lot 4208 on Washington County Tax Assessor's Map 1S109DA.

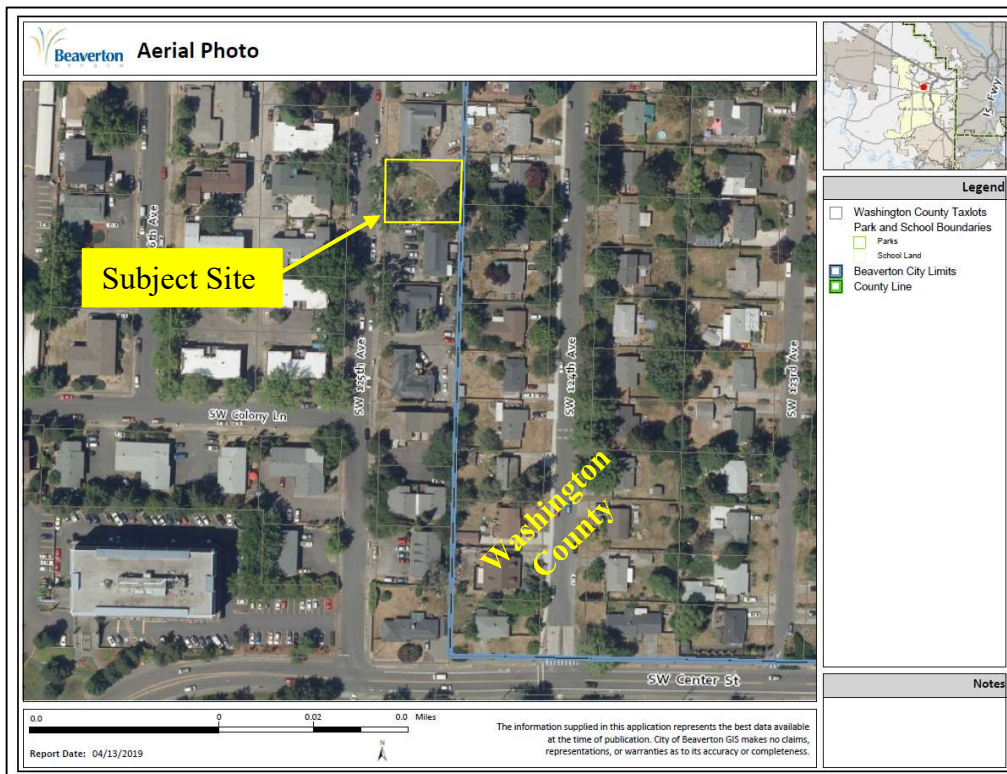
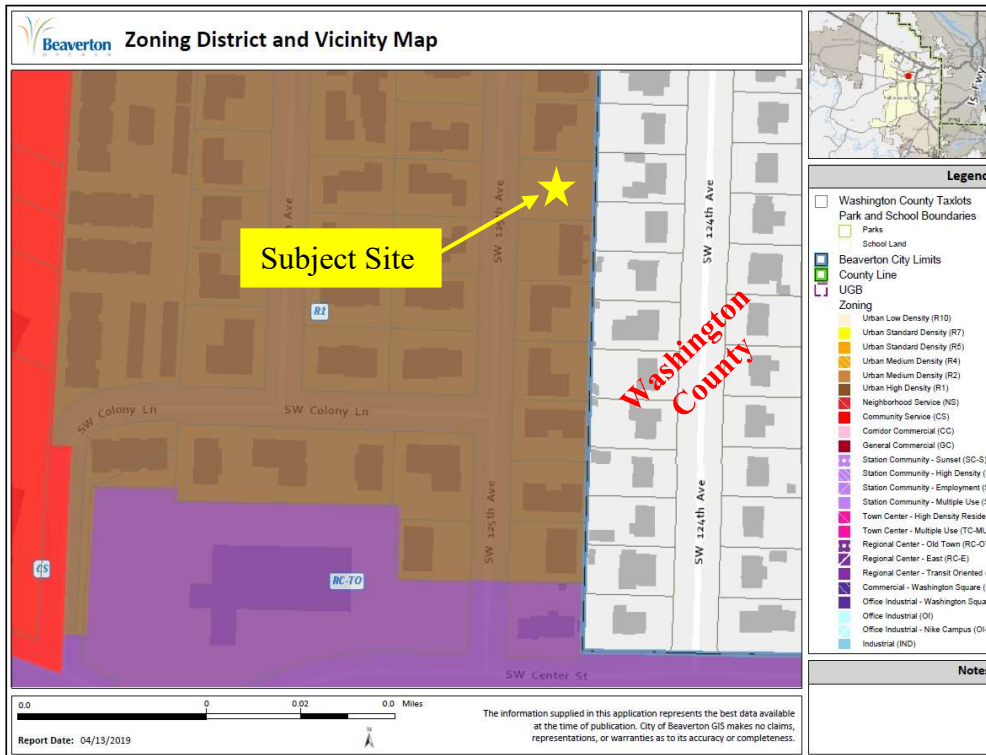
SUMMARY: The applicant, CTH Investments, LLC, requests approval on the following land use applications for the 3400 SW 125<sup>th</sup> Avenue 5-Plex Development. Design Review Type Three application to construct a 5-unit attached building, with associated improvements. Minor Adjustment application to reduce the minimum side yard setback, along the southern property line, from 5 feet to 4.5 feet.

APPLICANT/  
PROPERTY  
OWNER: CTH Investments, LLC  
Matt Wellner  
1800 NW 167<sup>th</sup> Place, Suite 150  
Beaverton, OR 97006

APPLICANT'S  
REPRESENTATIVE: Pioneer Design Group  
Matt Sprague  
9020 SW Washington Sq. Rd., Suite 150  
Portland, OR 97223

RECOMMENDATION: **APPROVAL of ADJ2019-0004 / DR2019-0013 3400 SW 125<sup>th</sup> Avenue 5-Plex**, subject to conditions identified at the end of this report.

## ZONING/VICINITY/AERIAL MAP



## BACKGROUND FACTS

### Key Application Dates

Application	Submittal Date	Deemed Complete*	120-Day	365-Day**
DR2019-0013	Jan. 31, 2019	March 6, 2019	July 4, 2019	March 6, 2020
ADJ2019-0004	Jan. 31, 2019	March 6, 2019	July 4, 2019	March 6, 2020

\* Applicant requested the applications be accepted as complete upon submittal.

\*\* Pursuant to Section 50.25.9 of the Development Code this is the latest date, with a continuance, by which a final written decision on the proposal can be made.

### Existing Conditions Table

<b>Zoning</b>	Residential Urban High Density (R-1)	
<b>Current Development</b>	The site is currently vacant, but formerly contained a 4-plex that was destroyed by a fire.	
<b>Site Size &amp; Location</b>	The site is located at 3400 SW 125 <sup>th</sup> Avenue north of SW Center Street, and is approximately 0.2 acres in size.	
<b>NAC</b>	Central Beaverton NAC	
<b>Surrounding Uses</b>	<b>Zoning:</b> <u>North</u> : R-1 <u>South</u> : R-1 <u>East</u> : Washington County Land Use Designation: R-5 <u>West</u> : R-1	<b>Uses:</b> <u>North</u> : Residential <u>South</u> : Residential <u>East</u> : Residential <u>West</u> : Residential

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<b><u>Attachment B:</u></b> ADJ2019-0004 <i>Minor Adjustment</i>	ADJ1-ADJ6
<b><u>Attachment C:</u></b> DR2019-0013 <i>Design Review</i>	DR1-DR14
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### Exhibits

#### **Exhibit 1. Materials submitted by Staff**

Exhibit 1.1 Vicinity Map (page SR-2 of this report)

Exhibit 1.2 Aerial Map (page SR-2 of this report)

#### **Exhibit 2. Public Comment**

No Comments

#### **Exhibit 3. Materials submitted by the Applicant**

Exhibit 3.1 Submittal Package including plans

**FACILITIES REVIEW COMMITTEE DRAFT  
TECHNICAL REVIEW AND RECOMMENDATIONS  
3400 SW 125<sup>th</sup> 5-Plex  
ADJ2019-0004 / DR2019-0013**

**Section 40.03 Facilities Review Committee:**

The Facilities Review Committee has conducted a technical review of the application in accordance with the criteria contained in Section 40.03 of the Development Code. The Committee's findings and recommended conditions of approval are provided to the decision-making authority. As they will appear in the Staff Report, the Facilities Review Conditions may be re-numbered and placed in different order.

The decision-making authority will determine whether the application as presented meets the Facilities Review approval criteria for the subject application and may choose to adopt, not adopt, or modify the Committee's findings, below.

**The Facilities Review Committee Criteria for Approval will be reviewed for all criteria that are applicable to the submitted applications as identified below:**

- **All twelve (12) criteria are applicable to the submitted Design Review application as submitted.**

**A. *All critical facilities and services related to the development have, or can be improved to have, adequate capacity to serve the proposal at the time of its completion.***

Chapter 90 of the Development Code defines "critical facilities" to be services that include public water, public sanitary sewer, storm water drainage and retention, transportation, and fire protection. The Committee finds that the proposal includes, or can be improved to have, necessary on-site and off-site connections and improvements to public water, public sanitary sewer and storm water drainage facilities.

*Public Water, Sanitary Sewer and Storm*

The water service provider for the subject site is City of Beaverton with access to an existing line along SW 125<sup>th</sup> Avenue. Sanitary and sewer lines are available from existing lines are also along SW 125<sup>th</sup> Avenue. The City Engineer in review of this proposal has determined that by meeting the conditions of approval at the end of this report, this proposal does not impact the level of service and facilities in the surrounding area. The capacity of the existing systems is adequate to support the increase uses of these critical facilities.

*Transportation*

The proposal abuts SW 125<sup>th</sup> Avenue, a local street connecting to SW Center Street a Collector. The proposal is to construct a five-plex on a previously development site with connections to the existing transportation system.

### *Fire Protection*

Fire protection will be provided to the site by Tualatin Valley Fire & Rescue Department (TVF&R). The subject site is in close proximity to TVF&R Stations (61, 65, and 67). TVF&R has not provided conditions of approval related to this proposal; however TVF&R requirements will be verified at the time of Site Development Permit issuance.

The Committee finds that the proposed development will provide the required critical facilities, as conditioned. Therefore, the Committee finds the proposal meets the criterion for approval.

**Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.**

- B. Essential facilities and services are available, or can be made available, with adequate capacity to serve the development prior to occupancy. In lieu of providing essential facilities and services, a specific plan may be approved if it adequately demonstrates that essential facilities, services, or both will be provided to serve the proposed development within five years of occupancy.***

Chapter 90 of the Development Code defines “essential facilities” to be services that include schools, transit improvements, police protection, and pedestrian and bicycle facilities in the public ROW. The applicant states that essential facilities and services are available and adequate to serve the proposal.

The site will be served by William Walker Elementary, Cedar Park Middle School, and Beaverton High School. The applicant has provided a service provider letter from BSD stating that adequate services are available to support this proposal. The site is located within Tualatin Hills Park and Recreation District (THPRD) and is less than one mile from Center Street Park. The proposal is the redevelopment of an existing lot connecting to the existing street system. The project area is served by Tri-Met Route # 20 along SW Center Street, with peak headways of 15 minutes. Beaverton Police will serve the development site and any comments will be forwarded to the applicant. In summary of the above, the Committee finds that the proposed development will provide required essential facilities.

**Therefore, the Committee finds the proposal meets the criterion.**

- C. The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject proposal.***

Staff cites the Code Conformance Analysis chart at the end of this report, which evaluates the project as it relates to the applicable Code requirements of Chapter 20 for the Residential High-Density zone as applicable to the above mentioned criteria. Staff has reviewed the application for compliance with Chapter 20 and as demonstrated in the chart at the end of this report, the development proposal, with exception to the

adjustment request to the side yard setback, meets all other applicable standards of this zone. Staff recommends a condition of approval to obtain approval of the adjustment.

**Therefore, the Committee finds that by meeting the condition of approval, the proposal meets the criterion.**

- D. The proposed development is consistent with all applicable provisions of Chapter 60 (Special Requirements) and all improvements, dedications, or both, as required by the applicable provisions of Chapter 60 (Special Requirements), are provided or can be provided in rough proportion to the identified impact(s) of the proposal.***

The Committee cites the Code Conformance Analysis chart at the end of this report, which evaluates the proposal as it relates to the applicable Code requirements of Chapter 60, in response to the above mentioned criteria. Staff will address Section 60.05. (Design Guidelines) to the separate findings prepared for Design Review Three.

The applicant states the proposal complies with all applicable provisions of Chapter 60. Section 60.30 of the Development Code specifies a minimum number of required off-street parking spaces at 1.5 vehicle spaces per dwelling, requiring eight spaces which are provided by the applicant. The Development Code Section 60.30.10.5.B requires one long-term bike parking space for each dwelling unit. The applicant has identified the specific location of the long-term parking spaces. Each unit has a storage area at the rear of the building in which the applicant states is large enough to accommodate bicycles. Short-term bike parking is proposed at the southwest corner of the subject site. Staff finds the proposal will meet the minimum bicycle requirements.

In summary of the above, staff finds the proposal to meet all applicable facility review provisions of chapter 60 by meeting the conditions of approval at the end of this report.

**Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.**

- E. Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas, as applicable: drainage ditches, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas and other facilities not subject to maintenance by the City or other public agency.***

The applicant states that the attached units are located on one single lot with a common driveway area, drainage, and landscaping to be maintained by the property owner. Staff finds that the design of the development does not preclude the continued maintenance of private common facilities. Staff finds that adequate means can be provided to ensure continued and periodic maintenance.

**Therefore, the Committee finds the proposal meets the criterion.**

***F. There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development.***

The proposal shows a walkway along the western portion of the driveway connecting to the rear entrances of the building. The parking area has been design to meet city standards. Staff finds safe and efficient circulation internal to the site has been provided.

**Therefore, the Committee finds the proposal meets the criterion.**

***G. The development's on-site vehicular and pedestrian circulation systems connect to the surrounding circulation systems in a safe, efficient, and direct manner.***

Pedestrian access from each unit to the public sidewalk is provided from the front entrances of the building. The proposal includes vehicular access to the site from a shared driveway north of the proposed building, improving access to both the site and the existing development to the north with the new common driveway. By complying with the associated conditions of approval, and by constructing the driveway to meet City Standards, applicant will be able to ensure safe and efficient circulation to and from the site.

**Therefore, the Committee finds by meeting the conditions of approval, the proposal meets the criterion.**

***H. Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate fire protection, including, but not limited to, fire flow.***

The applicant states the proposed development will have adequate fire protection. Fire protection will be provided to the site by Tualatin Valley Fire & Rescue Department (TVF&R). TVF&R have not provided conditions of approval related to this proposal; however, TVF&R requirements, will be verified at the time of Site Development and Building Permit issuance.

**Therefore, the Committee finds the proposal meets the criterion.**

***I. Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate protection from crime and accident, as well as protection from hazardous conditions due to inadequate, substandard or ill-designed development.***

The applicant states all structures and public facilities serving the development site have been designed in accordance with adopted City codes and standards. The



Committee finds the review of the construction documents at the building and site development permit stages will ensure protection from hazardous conditions due to inadequate, substandard or ill-designed development. The proposed walkways will be adequately lit to provide for safe pedestrian circulation.

**Therefore, staff finds that the proposal meets the criterion for approval.**

***J. Grading and contouring of the development site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.***

The applicant states minor grading is proposed since the site was previously graded for the prior residential development that was destroyed by a fire. No grading changes are proposed along the perimeter of the property. Staff recommends a condition that a revised grading plan be provided showing the proposal does not adversely impact the surrounding area and to ensure surface runoff from the site flows to the street and not to any adjacent property.

**Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.**

***K. Access and facilities for physically handicapped people are incorporated into the development site and building design, with particular attention to providing continuous, uninterrupted access routes.***

The applicant will be required to meet all applicable accessibility standards of the International Building Code, Fire Code and other standards as required by the American Disabilities Act (ADA). Compliance with ADA requirements are reviewed with the Site Development and Building Permit applications. The applicant states that the vehicular access and pedestrian facilities have been design to comply with all ADA standards. Staff finds that review of the proposed plans at Site Development and Building Permit stages are sufficient to guarantee compliance with accessibility standards.

**Therefore, staff finds that the proposal meets the criterion.**

***L. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.***

The applicant submitted the land use applications on March 6, 2019. In review of the materials during the application review process, the Committee finds that all applicable application submittal requirements, as identified in Section 50.25.1 are contained within this proposal.

**Therefore, the Committee finds the proposal meets the criterion.**

**Code Conformance Analysis  
General Commercial District  
Chapter 20 Use and Site Development Requirements**

<b>CODE STANDARD</b>	<b>CODE REQUIREMENT</b>	<b>PROJECT PROPOSAL</b>	<b>MEETS CODE?</b>
<b>Development Code Section 20.05.20 (Uses)</b>			
Permitted Uses	Attached Dwellings	The applicant's proposal for attached dwellings is permitted in the R-1 zoning district.	<b>Yes</b>
<b>Development Code Section 20.05.15 (Site Development Standards)</b>			
Minimum Parcel/ Land Area	1,000 sq. ft./unit	The project area is approximately 7,900 square feet in size, the minimum land size required is 1,000 square feet per unit. The applicant's proposal for five units meets this requirement.	<b>Yes</b>
Yard Setbacks	Front: 10 feet Side: 5 feet Rear: 15 feet	The proposed 5-plex provides a 10-foot front, 49-foot rear, 6-foot side (north elevation) and 4.5-foot side (south elevation). The applicant's proposal includes a Minor Adjustment application requesting a reduction in the side yard setback for the southern elevation.	<b>Yes, if ADJ2019-0004 is approved</b>
Maximum Building Height	60 feet	The applicant states the maximum height of all the buildings is 35 feet.	<b>Yes</b>
<b>Development Code Section 20.25.05 (Density Calculation)</b>			
Minimum Residential Density	New residential development in all Residential, Commercial, and Multiple Use districts which permit residential development must achieve at least the minimum density for the zoning district in which they are located.	The subject site is zoned R-1, with a minimum lot size of 1,000 square feet per unit. The net acreage of the site is 5,728 square feet; therefore the minimum density for this site is five (5) units and the maximum is eight (8) units. The applicant is proposing five units.	<b>Yes</b>

## Chapter 60 Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
<b>Development Code Section 60.05-Design Standards</b>			
Design Review Principles, Standards, and Guidelines	Requirements for new development and redevelopment.	Design Review guidelines will be reviewed in the Design Review portion of the staff report.	<b>See Findings for DR2019-0013</b>
<b>Development Code Section 60.30– Off-Street Parking</b>			
Required off-street motor vehicle parking (Zone A)	<u>Attached Single Family (2 bedrooms)</u> Min: 1.5 space per unit Max: 2.0 space per unit	The proposal is a five unit building containing two bedrooms units thereby requiring a minimum of 8 off-street parking spaces. The proposal meets this requirement.	<b>Yes</b>
Required Bicycle Parking	<u>Multi-dwelling structure (4 or more units)</u> Short: 1 space per 20 unit	The proposal provides two bike parking spaces at the southwest corner of the subject site. Long term parking spaces are to be located in a storage room, for each unit, at the rear of the building.	<b>Yes</b>
<b>Development Code Section 60.55 - Transportation</b>			
Transportation Facilities	Regulations pertaining to the construction or reconstruction of transportation facilities.	The applicant states the subject site is located in an established residential neighborhood and no new streets are proposed. SW 125 <sup>th</sup> Avenue is a fully improved local street. There is an existing shared driveway serving the site and no new driveway access is proposed.	<b>Yes</b>
<b>Development Code Section 60.60-Trees &amp; Vegetation</b>			
Trees & Vegetation	Regulations pertaining to the removal and preservation of trees.	The site contains three Community trees which the applicant proposes to remove as part of the development.	<b>Yes</b>
<b>Development Code Section 60.65-Utility Undergrounding</b>			
Utility Undergrounding	.	The applicant states utilities are underground for this site.	<b>Yes</b>

**ADJ2019-0004  
ANALYSIS AND FINDINGS FOR  
MINOR ADJUSTMENT APPROVAL**

**Section 40.10.05. Adjustment Applications; Purpose**

*The purpose of an Adjustment application is to provide a mechanism by which certain regulations in this Code may be adjusted if the proposed development continues to meet the intended purpose of such regulations. This Section is carried out by the approval criteria listed herein.*

**Section 40.10.15.1.C Approval Criteria**

*In order to approve a Minor Adjustment application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:*

**1. *The proposal satisfies the threshold requirements for a Minor Adjustment application.***

*Section 40.10.15.1.A.1 Threshold: An application for Major Adjustment shall be required when the following threshold applies:*

*Involves up to and including a 10% adjustment from the numerical Site Development Requirements specified in Chapter 20 (Land Uses).*

The minimum side yard setback for the R-1 zoning district is five (5) feet. The applicant is requesting a setback of 4.5 feet, a 10 percent adjustment from the site development requirement of this zoning district.

**Therefore, staff finds that the proposal meets the criterion for approval.**

**2. *The application complies with all applicable submittal requirements as specified in Section 50.25.1 and includes all applicable City application fees.***

The City of Beaverton received the appropriate fee for a Minor Adjustment application.

**Therefore, staff finds that the proposal meets the criterion for approval.**

**3. *Special conditions exist on the site that make it physically difficult or impossible to meet the applicable development standard for an otherwise acceptable proposal.***

The applicant states that the subject site contained an existing four-plex building that was destroyed by fire a few years ago. The proposed design takes into consideration existing conditions of the site which include a shared access point with the property to the north of the site as well as the existing lot depth of 100 feet. Both factors limit the location of the building to the area between the shared access and the southern property line. The proposed reduction of the side yard setback at the southern elevation allows the proposed building to reasonably accommodate five units while the design of the building is consistent

the buildings in the surrounding area. The additional unit proposed is to meet the minimum density of the zoning district that was not met with the previous building. The applicant further states the proposed design of the building orienting the longer length allows each unit to directly access SW 125<sup>th</sup> and accommodates the required eight parking spaces and vehicle maneuvering area and existing shared access location. The proposal is consistent with the City's desire for higher density residential development in the R-1 zoning district by adding an additional unit on the site from the original development to meeting regional density requirements and accommodate other regulations. Staff finds these factors make the request for a half-foot reduction of the side yard a reasonable request.

**Therefore, staff finds that the proposal meets the criterion for approval.**

**4. *The special conditions or circumstances do not result from the actions of the applicant and such conditions and circumstances do not merely constitute financial hardship or inconvenience.***

The applicant states their intent is to rebuild the site, however the existing condition of the subject site with its shared access and limited lot depth as discussed in response to Criterion 3 outlines the constrained nature of this infill site. To meet city density requirements, an additional dwelling is required and the current parking standards require a minimum of eight parking spaces, thereby requiring more than what was previously built. With the subject site abutting single-family residential parcels to the east, the proposed design of the building minimizes the impact to this less dense land use designation by limiting the height of the building while the design of the building is similar to the other multi-family buildings located along SW 125<sup>th</sup> Avenue.

The reduction to the minimum side yard setback to approximately 4.5 feet helps to reduce impacts to abutting property to the south by allowing the narrower portion of the building to be located along this property line, while providing a wider rear setback with the proposed location of the parking area. By placing the building at its proposed location only 40 feet the building mass is towards this property line as compared to 68 feet if it were reoriented.

The requested deviation in the minimum setback requirement is not a result of the applicant's actions, but the existing constraints of this infill site, updated city requirements, and reducing impacts to existing developments adjacent to the subject site.

**Therefore, staff finds that the proposal meets the criterion for approval.**

**5. *Granting the adjustment as part of the overall proposal will not obstruct pedestrian or vehicular movement.***

The applicant states the proposal provides adequate pedestrian and vehicle access and circulation. The proposed design includes direct access from each unit to SW 125<sup>th</sup> Avenue, improvements to the shared access and common driveway for both the subject site and the residential property to the north and a parking lot designed to provide adequate vehicle movement on-site. Staff finds that granting the height request will not obstruct pedestrian or vehicular movement to and through the site.

**Therefore, staff finds that the proposal meets the criterion for approval.**

**6. *City-designated significant trees and/or historic resources, if present, will be preserved.***

There are no City-designated significant trees and/or historic resources on the subject site.

**Therefore, staff finds that this approval criterion is not applicable.**

**7. *If more than one (1) adjustment is being requested concurrently, the cumulative effect of the adjustments will result in a project which is still consistent with the overall purpose of the applicable zoning district.***

The proposal includes one (1) request for adjustment.

**Therefore, staff finds that this approval criterion is not applicable.**

**8. *Any adjustment granted shall be the minimum necessary to permit a reasonable use of land, buildings, and structures.***

The applicant states that given the size and shape of the lot, the existing location of the shared access, and the associated requirements such as the proposed parking spaces, the reduction in the side yard setback by a half a foot is the minimum needed to meet city requirements. As designed, the proposed setback reduction allows the development to meet the density requirements of this zoning district while taking into consideration the existing structures on the site. Staff finds the request for the half-foot reduction the minimum necessary to permit a reasonable use of land and the proposed structure.

**Therefore, staff finds that the proposal meets the criterion for approval.**

**9. *The proposal incorporates building, structure, or site design features or some combination thereof that compensate for the requested adjustment.***

The applicant states the design of the building includes separate entrances and front porches for each unit and improvements to the existing landscaping at the perimeter of the lot as well as along the street-facing elevation of the building. The layout of the site includes improvements to the shared driveway for the existing residential development to the north and improving internal vehicular circulation. The proposed development will also add one additional dwelling unit to the site, increasing the housing stock to the area. Staff finds that the proposal provides community benefits that compensate for the half-foot reduction to the side yard setback along the southern property line.

**Therefore, staff finds that the proposal meets the criterion for approval.**

**10. *The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are modified by means of one or more application that have been approved or are considered concurrently with the subject proposal.***

Staff cites the findings in the Code Conformance Analysis chart in the Facilities Review section of this report for the R-1 zone as applicable to the above-mentioned criteria. As demonstrated on the chart, the proposal meets the site development standards, with the exception of minimum side yard setback. The applicant requests modification of the side yard setback at the southern property line through the subject Minor Adjustment application.

**Therefore, staff finds that the proposal meets the criterion for approval.**

**11. *The proposal is consistent with all applicable provisions of Chapter 60 (Special Requirements) and that all improvements, dedications, or both required by the applicable provisions of Chapter 60 (Special Requirements) are provided or can be provided in rough proportion to the identified impact(s) of the proposal.***

Staff finds that this Minor Adjustment proposal, which is limited to side yard setback at the southern property line, will have no impact on development's ability to meet applicable Code requirements of Chapter 60. Compliance with Chapter 60 is also discussed in the Facilities Review (Attachment A) and Design Review Three (Attachment C) sections of this report.

**Therefore, staff finds that the proposal meets the criterion for approval.**

**12. *Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas: drainage ditches, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas and other facilities, not subject to periodic maintenance by the City or other public agency.***

The applicant states that the property owner, will be responsible for overseeing development and maintenance of the site. The applicant will be able to provide continued maintenance and necessary replacement of facilities.

**Therefore, staff finds that the proposal meets the criterion for approval.**

**13. *The proposal does not include any lot area averaging as specified in Section 20.05.50.1.B or include any lot dimension reductions as specified in Sections 20.05.50.2.A.2 and .4 or 20.05.50.2.B.2 and .4.***

The proposal does not include a request to divide the property, therefore lot averaging is not being requested.

**Therefore, staff finds that this approval criterion is not applicable.**

***14. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.***

The applicant has submitted this Minor Adjustment application with associated Design Review Three application. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant at this stage of City review. Staff suggests a condition of approval that approval of the Minor Adjustment application is dependent upon the Design Review three approval.

**Therefore, staff finds that by meeting the conditions of approval the proposal meets the criterion for approval.**

**RECOMMENDATION**

Based on the facts and findings presented, staff recommends **APPROVAL** of **ADJ2019-0004 (3400 SW 125<sup>th</sup> Avenue 5-Plex)**, subject to the applicable conditions identified in Attachment D.



**DR2019-0013  
ANALYSIS AND FINDINGS FOR  
DESIGN REVIEW THREE APPROVAL**

**Section 40.03.1 Facilities Review Approval Criteria:**

*The applicant for development must establish that the application complies with all relevant standards in conformance with Section 50.25.1.B and all the following criteria have been met:*

**Facilities Review Approval Criteria Section 40.03.1.A-L**

Staff has reviewed the applicable Facilities Review criteria in Attachment A to this report. Staff cites the findings presented in Attachment A in response to the Facilities Review approval criteria. As identified in Attachment A, above, the proposal, as conditioned, meets Criteria A-L, and therefore meets the criterion for approval.

**Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the Facilities Review Committee criteria.**

**Planning Commission Standards for Approval:**

Section 40.20.15.3.C of the Development Code provides standards to govern the decisions of the Commission as they evaluate and render decisions on Design Review Applications. The Commission will determine whether the application as presented, meets the Design Review Three approval criteria. The Commission may choose to adopt, not adopt or modify the Committee's findings. In this portion of the report, staff evaluates the application in accordance with the criteria for Type 3 Design Review.

**Section 40.20.15.3.C Approval Criteria:** In order to approve a Design Review Three application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

**1. *The proposal satisfies the threshold requirements for a Design Review Three application.***

The applicant proposes to construct a five-unit residential attached building with associated improvements. The applicant states the proposal meets Criterion No. 8 since it cannot meet all the applicable design review standards in Section 60.05 of the Development Code.

*8. A project meeting the Design Review Two thresholds which does not meet an applicable design standard.*

**Therefore, staff finds that the criterion is met.**

2. ***All City application fees related to the application under consideration by the decision making authority have been submitted.***

The applicant paid the required fees for a Design Review Three application.

**Therefore, staff finds that the criterion is met.**

3. ***For proposals meeting Design Review Three application thresholds numbers 1 through 6, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).***

The proposal meets threshold number 8, therefore this criterion, which pertains to other thresholds, does not apply.

**Therefore, staff finds the criterion is not applicable.**

4. ***For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines) or can demonstrate that the additions or modifications are moving towards compliance of specific Design Guidelines if any of the following conditions exist:***

- a. A physical obstacle such as topography or natural feature exists and prevents the full implementation of the applicable guideline; or***
- b. The location of existing structural improvements prevent the full implementation of the applicable guideline; or***
- c. The location of the existing structure to be modified is more than 300 feet from a public street.***

The project proposal is a new structure. Therefore, this criterion, which pertains to additions or modification of an existing development, does not apply.

**Therefore, staff finds the criterion is not applicable.**

5. ***For DRBCP proposals which involve the phasing of required floor area, the proposed project shall demonstrate how future development of the site, to the minimum development standards established in this Code or greater, can be realistically achieved at ultimate build out of the DRBCP.***

The applicant does not propose a DRBCP.

**Therefore, staff finds the criterion is not applicable.**

6. ***For proposals meeting Design Review Three application Threshold numbers 7 or 8, where the applicant has decided to address a combination of standards and guidelines, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) except for the Design Standard(s) where the proposal is instead subject to the applicable corresponding Design Guideline(s). [ORD 4531; March 2010]***

The applicant states the proposal meets applicable design standards with exception to the landscape buffer standards, which the applicant has specifically addressed in Design Guideline 60.05.45.11. Staff sites the Design Standards Table and Design Guidelines Analysis below identifying how the proposed development, as condition, can meet the applicable Design Standards or corresponding Design Guideline.

**Therefore, staff finds that by meeting the conditions of approval, the criteria are met.**

7. ***For proposals meeting Design Review Three application Threshold numbers 7 or 8, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) except for the Design Standard(s) where the proposal is applying to instead meet the applicable Design Guideline(s).***

The applicant states the proposal meets applicable design standards with exception the landscape buffer standards. With exception to Design Guideline 60.05.45.11, the applicant has addressed applicable provisions of Section 60.05.15 through 60.05.30. Staff sites the Design Standards Table and Design Guidelines Analysis below identifying how the proposed development, as condition, can meet the applicable Design Standards or corresponding Design Guideline.

**Therefore, staff finds that by meeting the conditions of approval, the criteria are met.**

8. ***Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.***

The applicant has submitted a Minor Adjustment application associated with this proposal that is being processed concurrently with this Design Review Three request. No additional applications or documents are needed at this time. Staff recommends a condition requiring approval of the associated Minor Adjustment application prior to issuance of the Site Development application as the proposal is dependent upon the approval of the adjustment.

**Therefore, staff finds that my meeting the conditions of approval, the criterion is met.**

## Section 60.05 Design Review Standards Analysis DR2019-0013 3400 SW 125<sup>th</sup> Avenue 5-Plex

### Design Review Standards Analysis and Findings Chart Section 60.05.15 Building Design & Orientation Standards

DESIGN STANDARD		PROJECT PROPOSAL	MEETS STANDARD?
<b>60.05.15.1 Building Articulation and Variety</b>			
60.05.15.1A	Attached residential buildings in residential zones shall be limited in length to two hundred (200) feet.	The proposed building is 68 feet in length.	Yes
60.05.15.1B	Buildings visible from and within 200 feet of an adjacent public street shall have a minimum portion of the elevation devoted to permanent architectural features designed to provide articulation and variety...	The proposal includes primary entrances connecting to SW 125 <sup>th</sup> , dormers, offsets, and varying rooflines, and a covered porches.	Yes
60.05.15.1C	The maximum spacing between permanent architectural features shall be no more than: 1. Forty (40) feet in residential zones...	The applicant states each unit is less than 14 feet wide and each story is less than 9 feet with total height of the building at less than 30 feet. Architectural features such as windows, dormers and covered porches are provided for each unit.	Yes
60.05.15.1D	...detached and attached residential building elevations facing a street, common green or shared court shall not consist of undifferentiated blank walls greater than 150 square feet in area.	The western elevation of the proposed building faces SW 125 <sup>th</sup> Avenue, which has been designed to include windows, entries, and dormers with less than 150 square feet of undifferentiated walls.	Yes
<b>60.05.15.2 Roof Forms as Unifying Elements</b>			
60.05.15.2A	All sloped roofs exposed to view from adjacent public or private streets and properties shall have a minimum 4/12 pitch.	The applicant states that all sloped roofs have a minimum 4/12 pitch.	Yes
60.05.15.2B	Sloped roofs on residential uses in residential zone... shall have eaves, exclusive of rain gutters, that must project from the building wall at least twelve (12) inches.	The applicant states the roof design includes 1-foot eaves.	Yes
60.05.15.2C	All flat roofs with a slope of less than 4/12 pitch shall be architecturally treated or articulated with a parapet...	The applicant states that all roofs with a slope have at least a 4/12 pitch therefore a parapet is not required.	N/A
60.05.15.2D	When an addition to an existing structure or a new structure is proposed in an existing development, the roof forms...	The proposal is for a new development not an addition to an existing development.	N/A

DESIGN STANDARD		PROJECT PROPOSAL	MEETS STANDARD?
<b>60.05.15.3 Primary Building Entrances</b>			
60.05.15.3	Primary entrances, which are the main point(s) of entry where the majority of building users will enter and leave, shall be covered, recessed... The covered area providing weather protection shall be at least six (6) feet wide and four (4) feet deep.	The applicant states each unit will be provided an entry that faces SW 125 <sup>th</sup> Avenue with a pitched roof over the entry.	Yes
<b>60.05.15.4 Exterior Building Materials</b>			
60.05.15.4A	.... a minimum of seventy-five (75) percent of each elevation that is visible from and within 200 feet of a public street...shall be double wall construction.	The applicant states the building is designed with double wall construction.	Yes
60.05.15.4B	For conditional uses in residential zones and all uses in multiple-use and commercial zones...	The proposal does not require a conditional use and the subject site is zoned residential.	N/A
60.05.15.4C	For conditional uses in residential zones and all uses in multiple use and commercial districts, plain, smooth, exposed concrete...	The proposal does not require a conditional use and the subject site is zoned residential.	N/A
<b>60.05.15.5 Roof-Mounted Equipment</b>			
60.05.15.5	A. All roof-mounted equipment shall be screened from view from adjacent streets or adjacent properties... B. The vertical measuring distance for required screening shall be measured at five (5) feet above the finished...	Applicant states no roof mounted equipment is proposed.	N/A
<b>60.05.15.6 Building location and orientation along streets in Commercial and Multiple Use zones</b>			
60.05.15.6A thru 60.05.15.6F		The subject site is zoned residential.	N/A
<b>60.05.15.7 Building scale along Major Pedestrian Routes</b>			
60.05.15.7A thru 60.05.15.7C		The subject site is not located on a Major Pedestrian Route	N/A
<b>60.05.15.8 Ground floor elevations on commercial and multiple use buildings</b>			
60.05.15.8A and 60.05.15.8B		The proposal is for a 5-unit residential development	N/A
<b>60.05.15.9 Compact Detached Housing Design</b>			
60.05.15.9A thru 60.05.15.9K		The proposal is for a 5-unit attached residential development	N/A

**Design Review Standards Analysis and Findings Chart**  
Section 60.05.20 Circulation and Parking Lot Design Standards

<b>DESIGN STANDARD</b>		<b>PROJECT PROPOSAL</b>	<b>MEETS STANDARD?</b>
<b>60.05.20.1 Connections to public street system</b>			
60.05.20.1	Pedestrian, bicycle, and motor vehicle connections shall be provided between the on-site circulation systems and adjacent existing and planned streets...	The applicant's proposal shows a common driveway accessing a parking area at the rear of the building with both long-term and parking provided for each unit as well as short term parking. Pedestrian access to SW 125 <sup>th</sup> Avenue is provided for each unit. Staff cite the findings in Facilities Review Criterion A, B, D, F and G as to how the development has been designed to provide for safe and efficient movement of all modes of transportation.	<b>Yes</b>
<b>60.05.20.2 Loading Areas, solid waste facilities and similar improvements</b>			
60.05.20.2.A	All on-site service areas, outdoor storage areas, waste storage, disposal facilities, recycling containers, transformer and utility vaults and similar activities shall be located in an area not visible from a public street, or shall be fully screened from ...	The applicant states trash receptacles are provided for each unit along with individual storage areas for these containers. Further the applicant states all transformers and utility vaults are located or screen as to not be visible from the public street.	<b>Yes</b>
60.05.20.2.B	...all loading docks and loading zones shall be located in an area not visible from a public street...	No loading docks are proposed.	<b>N/A</b>
60.05.20.2.C	Screening from public view for service areas, loading docks, loading zones and outdoor storage areas, waste storage, disposal facilities, recycling containers...	The applicant states each unit is provided its own container with a storage area located at the rear of the building screened from public view.	<b>Yes</b>
60.05.20.2.D	Screening from public view by chain-link fence with or without slats is prohibited.	The applicant states the proposal does not include chain-link fencing.	<b>N/A</b>
60.05.20.2.E	Screening of loading zones may be waived in commercial and multiple-use districts...	The subject site is zoned residential and no loading docks are proposed.	<b>N/A</b>

DESIGN STANDARD		PROJECT PROPOSAL	MEETS STANDARD?
<b>60.05.20.3 Pedestrian Circulation</b>			
60.05.20.3.A	Pedestrian connections shall be provided that link to adjacent existing and planned pedestrian facilities...	<p>The proposed building is design to have a front entrance facing SW 125<sup>th</sup> Avenue. Each unit is provided a walkway connecting the building to the existing sidewalk.</p> <p>A transit stop is located south of subject site on SW Center street less than ¼ from SW 125<sup>th</sup> Avenue.</p>	<b>Yes</b>
60.05.20.3.B	A reasonably direct walkway connection is required between primary entrances...	Each unit is provided direct access from the front entrance to the public street.	<b>Yes</b>
60.05.20.3.C	A reasonably direct pedestrian walkway into a site shall be provided for every 300 feet of street frontage...	Access to the site is from the public street to the entrances of each building. The street frontage of the subject site is 80 feet and vehicle parking is proposed at the rear of the building.	<b>Yes</b>
60.05.20.3.D	Pedestrian connections through parking lots shall be physically separated from adjacent vehicle parking and parallel vehicle traffic through the use of curbs, landscaping, trees, and lighting...	A five-foot sidewalk is proposed along the rear of the building separating pedestrians from the drive aisle and connects to the rear entrance of each unit.	<b>Yes</b>
60.05.20.3.E	Where pedestrian connections cross driveways or vehicular access aisles a continuous walkway shall be provided, and shall be composed of a different paving material.	The applicant states pedestrian connections are proposed at the front of the building from the entrances to the public street. A sidewalk is provided along the rear of the building connecting the parking area to the rear entrance of the building.	<b>Yes</b>
60.05.20.3.F	Pedestrian walkway shall have a minimum of five (5)-foot wide unobstructed clearance...	The applicant states the walkways connecting the entrance to SW 125 <sup>th</sup> Avenue will be five-feet in width; however the walkways on the site plan measure to four feet. Staff recommends a condition that a revise site plan showing five-foot wide walkways be submitted with the site development permit.	<b>Yes, with Conditions of Approval</b>
<b>60.05.20.4 Street Frontages and Parking Areas</b>			
60.05.20.4	Surface parking areas abutting a public street shall...	The proposed parking area is located at the rear of the lot and does not abut a public street.	<b>N/A</b>
<b>60.05.20.5 Parking Area Landscaping</b>			

DESIGN STANDARD		PROJECT PROPOSAL	MEETS STANDARD?
60.05.20.5.A	Landscaped planter islands shall be required according to the following... all residential zones, one for every eight (8) contiguous parking spaces...	The proposal requires eight parking spaces. A landscape island is proposed south of the parking area.	Yes
60.05.20.5.B	The island shall have a minimum area of 70 square feet, and a minimum width of 6 feet, and shall be curbed to protect landscaping. The landscaped island shall be planted with a tree having a minimum mature height of 20 feet.	The applicant states the proposed landscape island is approximately 155 square feet in size with a minimum width of six feet. An Eastern Redbud is proposed in the landscape island and expected to reach a mature height of 20-30 feet.	Yes
60.05.20.5.C	Linear raised sidewalks and walkways within the parking area connecting the parking spaces and on-site building(s) may be counted towards the total required number of landscaped islands...	The applicant proposes a raised sidewalk along the rear elevation of the building and is not proposed as part of the landscape area.	N/A
60.05.20.5.D	Trees planted within required landscaped planter islands or the linear sidewalk shall be of a type and species identified by the City of Beaverton Street Tree List...	The trees to be planted in the parking area were chosen from the City's street tree list.	Yes
<b>60.05.20.6 Off-Street Parking Frontages in Multiple Use Zones</b>			
60.05.20.6	Off-street parking frontages in Multiple Use zones	The subject site is zoned R-1.	N/A
<b>60.05.20.7 Sidewalks along streets and primary building elevation in Commercial and Multiple Use Zones</b>			
60.05.20.7.A and 60.05.20.7.B		The subject site is zoned R-1.	N/A
<b>60.05.20.8 Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Multiple-Use, and Commercial Districts</b>			
60.05.20.8.A	<p>Parking lot drive aisles that link public streets and/or private streets with parking stalls shall be designed as private streets...unless one of the following is met:</p> <p>1. The parking lot drive aisle is less than 100 feet long</p>	The shared driveway proposed is less than 100 feet long.	N/A



**Design Review Standards Analysis and Findings Chart**  
60.05.25 Landscape, Open Space, and Natural Areas Design Standards

DESIGN STANDARD		PROJECT PROPOSAL	MEETS STANDARD?
<b>60.05.25 2. Minimum landscape requirements for residential developments consisting of four (4) to seven (7) units of Attached Housing or Compact Detached Housing.</b>			
60.05.25.2A	For Attached Dwellings, a minimum of 15% of the gross site area shall be landscaped as defined in Section 60.05.25.4.	The applicant states the proposal will provide 1,445 square feet of landscaping, approximately 18 percent.	<b>Yes</b>
60.05.25.5.B	For Compact Detached Housing, an attached private patio...	The applicant's proposal is a five-unit attached residential product.	<b>N/A</b>
60.05.25.5.C	Adjustments to these requirements are not permitted	The applicant is not proposing an adjustment to these landscape requirements.	<b>Yes</b>
<b>60.05.25.4 Additional minimum landscape requirements for Attached Housing and Compact Detached Housing</b>			
60.05.25.4.A	All front yard areas and all required open space areas not occupied by structures, walkways, driveways, plazas or parking spaces shall be landscaped...	The applicant states all front yard areas and required open space will be landscaped and is shown on the proposed Landscape Plan.	<b>Yes</b>
60.05.25.4.B	Landscaping shall include live plants or landscape features such as fountains, ponds or other landscape elements. Bare gravel, rock, bark and similar materials are not a substitute for plant cover, and shall be limited to no more than twenty-five (25) percent of the landscape area.	The applicant states that proposed landscaping is made up of trees, shrubs, groundcover, and lawn with less than 25 percent of the area to contain gravel, rock or bark, as shown on the proposed Landscape Plan.	<b>Yes</b>
60.05.25.4.C	For the purposes of this Section, vehicular circulation areas and parking areas, unless provided as part of a shared court, shall not be considered landscape area.	The proposal does not include the common driveway or parking area as part of landscape area.	<b>Yes</b>
60.05.25.4.D	All street-facing building elevations shall have landscaping along their foundation.	The applicant states landscaping at the building foundation is proposed in front of each unit with evergreen shrubs and groundcover.	<b>Yes</b>
60.05.25.4.E	The following minimum planting requirements for required landscaped areas shall be complied: 1. One (1) tree shall be provided for every eight hundred (800) square feet...	The applicant states the required 15% landscape area totals 1,176 square feet, requiring the following minimums: two trees, three shrubs, and groundcover or	<b>Yes</b>

DESIGN STANDARD		PROJECT PROPOSAL	MEETS STANDARD?
	2. One (1) evergreen shrub having a minimum mature height of forty-eight (48) inches shall be provided for every four hundred (400) square feet 3. Live ground cover consisting of low-height plants, or shrubs, or grass shall be planted	grass. The applicant's Landscape Plan shows six trees approximately 132 shrubs and a mix of groundcover plantings and grass proposed for the site, well exceeding the standard.	
60.05.25.4.F	A hard surface pedestrian plaza or combined hard surface and soft surface pedestrian plaza, if proposed...	The proposal does not include a pedestrian plaza.	N/A
<b>60.05.25.8 Retaining walls</b>			
60.05.25.8.A	Retaining walls greater than 6 feet in height or longer than 50 lineal feet... Materials used...	The applicant states that there are no retaining walls proposed with this development.	N/A
<b>60.05.25.9 Fences and walls</b>			
60.05.25.9.A	Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls such as wood, stone, rock, or brick or other durable materials.	The applicant states there is a 6-foot wood fence along the eastern property line that is to remain and that the proposal may continue this fencing along the southern property line.	Yes
60.05.25.9.B	Chain link fences are acceptable as long as the fence is coated and includes slats...	The applicant states chain link fencing is not proposed with this development.	N/A
60.05.25.9.C	Masonry walls shall be a minimum of six inches thick. All other walls shall be a minimum of three inches thick.	Applicant states no masonry walls is being proposed.	N/A
60.05.25.9.E	Fence and wall height limitations in front yard.	The applicant states no fencing is proposed in the front yard.	N/A
<b>60.05.25.10 Minimize Significant Changes to Existing On-Site Surface Contours at Residential Property Lines</b>			
60.05.25.10	A. When grading a site within twenty-five (25) feet of a property line within or abutting any residentially zoned property... B. ...grading within 25 feet of a property line shall not change the existing slopes by more than ten percent within a tree root zone of an identified significant grove or tree, or an identified historic tree..	The applicant states, as shown in the Preliminary Grading Plans, changes to the grade will be less than one-foot with no change to the existing grade or impact to tree planted abutting.	Yes
<b>60.05.25.11 Integrate water quality, quantity, or both facilities</b>			
60.05.25.11	Non-vaulted surface stormwater detention and treatment facilities having a side slope greater....	The applicant states no stormwater facility is being proposed.	N/A

DESIGN STANDARD		PROJECT PROPOSAL	MEETS STANDARD?
<b>60.05.25.12 Natural areas</b>			
60.05.25.12	Development on sites with City-adopted natural resource features such as streams, wetlands, significant trees and significant tree groves, shall preserve and maintain the resource...	The site does not contain a Significant Natural Resource Areas.	N/A
<b>60.05.25.13 Landscape Buffering and screening</b>			
60.05.25.13	All new development and redevelopment in the City subject to Design Review shall comply with the landscape buffering requirements of Table 60.05-2... side and rear of properties between different zoning districts.	Based on the zoning designation of the abutting properties the proposal requires a minimum 15-foot B-3 landscape buffer. The applicant is proposing a buffer of approximately 5.5 feet due to the constraints of the site.	See Design Guidelines

**Design Review Standards Analysis and Findings Chart**  
Section 60.05.30 Lighting Design Standards

<b>DESIGN STANDARD</b>		<b>PROJECT PROPOSAL</b>	<b>MEETS STANDARD?</b>
60.05.30.1.A thru 60.05.30.1.E	Adequate on-site lighting and minimal glare on adjoining properties.	The applicant proposes wall mounted lights at the rear of the building and recessed fixtures within the covered porches for each unit. No pole mounted lighting is proposed. The applicant's photometric plan shows adequate lighting is not provided to the parking spaces. Staff recommend that the applicant provide a revised lighting plan prior to issuance of the site development permit showing the 1.0 foot candle power is provided throughout the parking area. Further, staff recommends standard conditions of approval to ensure that while adequate lighting is provided on the site, the design does not result in adverse impact to the abutting properties due to glare.	<b>Yes, with Conditions of Approval</b>
60.05.30.2.A	Pole-mounted Luminaires shall comply with the City's Technical Lighting Standards, and shall not exceed a maximum of... 30 feet in non-residential zones.	The applicant's proposal does not include pole mounted lights.	<b>N/A</b>
60.05.30.2.B	Non-pole-mounted luminaires shall comply with the City's Technical Lighting Standards.	The applicant provided manufactures specification showing the building mounted fixtures. The applicant's photometric chart is included in the plans to show 0.5 foot candle for the wall-mounted lights does not cross the property line. However, staff recommends a condition requiring screening of the light source minimizing glare to SW 125 <sup>th</sup> Avenue or the abutting properties.	<b>Yes, with Conditions of Approval</b>

## DESIGN REVIEW GUIDELINES ANALYSIS

In the following analysis, staff have only identified the Design Guidelines which are applicable to the subject development proposal as it relates to the design standards not being met. Non-relevant Guidelines have been omitted.

**60.05.45. *Landscape, Open Space and Natural Areas Design Guidelines.* Unless otherwise noted, all guidelines apply in all zoning districts.**

### **11. *Landscape buffering and screening.***

- A. A landscape buffer should provide landscape screening, and horizontal separation between different zoning districts and between non-residential land uses and residential land uses. The buffer should not be applicable along property lines where existing natural features such as flood plains, wetlands, riparian zones and identified significant groves already provide a high degree of visual screening.*

The subject site is zoned R-1 with its rear property line abutting a Washington County parcel with a land use designation of R-5. This designation is similar to the City's R-7 zoning district. Based on the different zoning designation for each parcel and the setback requirement for the R-1 zoning district, a landscape buffer of 15 feet is required. The applicant is requesting a landscape buffer area of approximately 5.5 feet due to the limited size of the subject property. The applicant states while the landscaping area is less than 15 feet, the setback of the building to the property line is approximately 50 feet providing horizontal separation between the proposed building and the existing single-family dwelling abutting the subject site. Further the height and the design of the building is consistent with other residential buildings in the area. The proposed height of the building is less than 30 feet well below the 60 feet permitted this zoning district, thereby minimizing conflicts between the single-family and multi-family uses. While the setback is proposed to be reduced, the landscape area provided include an existing 6-foot wooden fence with trees and shrubs provided to buffer the two uses. Staff finds that as designed, adequate buffering and screening are provided.

**Therefore, staff finds the Guideline is met.**

- B. When potential impacts of a Conditional Use are determined, or when potential conflicts of use exist between adjacent zoning districts, such as industrial uses abutting residential uses, landscape screening should be dense, and the buffer width maximized. When potential conflicts of uses are not as great, such as a commercial use abutting an industrial use, less dense landscape screening and narrower buffer width is appropriate.*

The applicant states a conditional use is not being proposed on the site and that the uses are not drastically different such as industrial uses adjacent to a residential use. The proposed design of the facility includes a building height of less than 30 feet and architectural features such as windows, pitched roofs, entries that are compatible with the design of single-family homes. The proposed landscaping includes four Eastern Redbuds with a mature height of 20 to 30 feet to provide vertical relief to the landscape area and a mixture of shrubs that includes, Barberry, Laurel, Arborvitae, that upon

maturity will provide additional buffering and screening with the existing wooden fence. Based on the type of uses and the proposed design of the landscaping and building, minimal conflict appear between the proposed 5-plex and the existing single-family home, thereby permitting a narrower and less dense landscape screening and buffering.

**Therefore, staff finds the Guideline is met.**

*C. Landscape buffering should consist of a variety of trees, shrubs and ground covers designed to screen potential conflict areas and complement the overall visual character of the development and adjacent neighborhood.*

The landscape buffer area is to include an existing wooden fence, trees, shrubs and ground cover to buffer the parking area. The proposed landscaping will help to screen the maneuvering of vehicles on site and is compatible to the landscaping adjacent to the site.

**Therefore, staff finds the Guideline is met.**

*D. When changes to buffer widths and buffer standards are proposed, the applicant should describe the physical site constraints or unique building or site characteristics that merit width reduction.*

The applicant states the reduction in landscape buffer area is due to the depth of the lot and the associated development requirements such as the parking area. The applicant's proposal was designed to meet the density requirements of this zoning district while designing the building to be compatible with the characteristics of the surrounding buildings. Staff finds that while landscape buffer area is reduced, the proposed landscaping and design of the building minimizes the impacts of the development to the existing surrounding uses.

**Therefore, staff finds the Guideline is met.**

### **RECOMMENDATION**

Based on the facts and findings presented, staff recommends **APPROVAL** of **DR2019-0013 (3400 SW 125<sup>th</sup> Avenue 5-Plex Design Review)** subject to the applicable conditions identified in Attachment D.

**CONDITIONS OF APPROVAL  
3400 SW 125<sup>th</sup> Avenue 5-Plex**

**ADJ2019-0004 Minor Adjustment**

1. Final decision shall expire automatically two (2) years from the effective date of decision unless the approval is enacted either through construction or establishment of use within the two (2) year time period. (Planning/SNK)
2. Ensure that the Design Review Three (DR2019-0013) application has been approved and is consistent with the submitted plans. (Planning/SNK)

**DR2019-0013 Design Review Three**

1. Final decision shall expire automatically two (2) years from the effective date of decision unless the approval is enacted either through construction or establishment of use within the two (2) year time period. (Planning/SNK)

**A. Prior to issuance of the site development permit, the applicant shall:**

2. Obtain Minor Adjustment approval to reduce the side yard setback along the southern property line from five feet to 4.5 feet. (Planning / SNK)
3. Submit the required plans, application form, fee, and other items needed for a complete site development permit application per the applicable review checklist. (Site Development Div./JJD)
4. Contract with a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, current standards in place per the City Engineering Design Manual and Standard Drawings, Beaverton Development Code (Ordinance 2050, 4010 +rev.), the current standards in place per the Clean Water Services District, Design and Construction Standards, and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div./JJD)
5. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions utilizing the process set out in the Beaverton Development Code, and the City Engineering Design Manual; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div./JJD)

6. Have the ownership of the subject property guarantee all public improvements, site grading, storm water management facilities including plantings, private streets, fire access and common driveway paving by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development Div./JJD)
7. Have obtained the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans as part of the City's plan review process. (Site Development Div./JJD)
8. Submit any required detailed water demand analysis (fire flow calculations) in accordance with the requirements of the Fire Code as adopted by the Tualatin Valley Fire and Rescue. If determined to be needed by the City Building Official, this analysis shall be supplemented by an actual flow test and evaluation by a professional engineer meeting the standards set by the City Engineer as specified in the Engineering Design Manual. (Site Development Div./JJD)
9. Obtain the City Building Official's courtesy review and approval of the proposed private site utility plans, if required by OAR 918-780-0040 for private plumbing needed to serve the private water, backflow prevention and sanitary sewer systems outside the proposed building. (Site Development Div./JJD)
10. Provide an erosion control plan showing best management practices needed per Clean Water Services Standard Drawing #945. Make provisions for installation of all mandated erosion control measures prior to site disturbance of 500 square feet or more. These shall be maintained and replaced as necessary during the duration of the project to prevent sediment-laden run-off from leaving the site. (Site Development Div./JJD)
11. Submit to the City a certified impervious surface determination of the proposed project prepared by the applicant's engineer, architect, or surveyor. The certification shall consist of an analysis and calculations determining the square footage of all impervious surfaces on the site. In addition, specific types of impervious area totals, in square feet, shall be given for roofs, equipment pads, parking lots and driveways, sidewalk and pedestrian areas, and any gravel or pervious pavement surfaces. Calculations shall also indicate the square footage of pre-existing impervious surfaces, modified existing impervious, the new impervious surface area created, and total final impervious surface area on the entire site after completion. (Site Development Div./JJD)
12. Pay storm water system charges (CWS storm water quality, quantity, and overall system conveyance) for the proposal. The storm water quality development charge (\$1 per square foot of net new impervious surface, per CWS rates and charges) will be determined with the final impervious surface determination. The final City Storm Water SDC shall also be determined with the final impervious surface determination. (Site Development Div./JJD)



13. If existing utility poles along existing street frontages must be moved to accommodate the proposed improvements, the affected lines must be either undergrounded or a fee in lieu of undergrounding must be paid per Section 60.65 of the Development Code. (Site Development Div./JJD)
14. Submit a grading plan showing that the lot has a minimum building pad elevation that is at least 18 inches higher than the frontage street gutter elevation. This plan must also show that all surface water runoff from this site flows to the street, and not to any adjacent property. A minimum finish floor elevation shall be established based on service provision needs and whichever of the following two is highest in elevation: 1) at least two feet higher than the rim elevation of the downstream public sanitary sewer manhole; 2) as necessary to provide adequate fall per engineering and plumbing code standards to the furthest service point. (Site Development Div./JJD/SAS)
15. Provide plans showing a City standard commercial driveway apron at the intersection of any private, common driveway and a public street. (Site Development Div./JJD)
16. Provide a revised Site Plan showing five (5)-foot wide sidewalks connecting each dwelling unit of the building to the sidewalk on SW 125<sup>th</sup> Avenue. (Planning/SNK)
17. Provide a revised Lighting Planning showing lighting is screen to minimize glare to public streets and accessways. Proposed lighting shall meet the applicable Technical Lighting Standards of Section 60.05.30. (Planning/SNK)

**B. Prior to building permit issuance, the applicant shall:**

18. Provide a revised site plan showing one long-term biking space is provided for each dwelling unit (Planning/SNK)
19. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./JJD)
20. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for foundation footing form inspection from the Building Division. (Site Development Div./JJD)

**C. Prior to final inspection and occupancy permit issuance of any building permit, the applicant shall:**

21. Ensure all site improvements, including grading and landscaping are completed in accordance with plans marked "Exhibit A", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning /SNK)

22. Ensure all construction is completed in accordance with the Materials and Finishes form and Materials Board, both marked "Exhibit B", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning /SNK)
23. Ensure construction of all buildings, walls, fences and other structures are completed in accordance with the elevations and plans marked "Exhibit C", except as modified by the decision making authority in conditions of approval. (On file at City Hall). No occupancy permit (including temporary occupancy) will be issued until all improvements are complete. (Planning/SK)
24. Have substantially completed the site development improvements as determined by the City Engineer, including franchise utility relocation and streetlights being fully functional. (Site Development Div./JJD)
25. Install or replace, to City specifications, all sidewalks, curb ramps and driveway aprons which are missing, damaged, deteriorated, or removed by construction along the site frontage. (Site Development Div./JJD)
26. Have the landscaping completely installed or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div./JJD)
27. Ensure all landscaping approved by the decision making authority is installed. (Planning /SNK)
28. Ensure all landscape areas are served by an underground landscape irrigation system. For approved xeriscape (drought-tolerant) landscape designs and for the installation of native or riparian plantings, underground irrigation is not required provided that temporary above-ground irrigation is provided for the establishment period. (Planning /SNK)
29. Ensure that the planting of all approved deciduous trees, except for street trees or vegetation approved in the public right-of-way, and has been completed. Deciduous trees shall have straight trunks and be fully branched, with a minimum caliper of 1-1/4 inches and a minimum height of 8 feet at the time of planting, except that dwarf and compact varieties may be may be approved at any size. Deciduous trees may be supplied bare root provided the roots are protected against damage. Each tree is to be adequately staked. (Planning /SNK)
30. Ensure all exterior lighting satisfies the applicable requirements of Section 60.05.30 and that all fixtures are installed and operational. Illumination from light fixtures, shall provide a minimum of 1.0 foot-candle within the parking area and walkways and be limited to no greater than 0.5 foot-candle at the property line as measured in the vertical and horizontal plane. (Planning/ SNK)

**D. Prior to release of performance security, the applicant shall:**

31. Have completed the site development improvements as determined by the City Engineer and met all outstanding conditions of approval as determined by the City Engineer and Planning Director. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div./JJD)
32. Submit any required on-site easements not already shown on the recorded plat, executed and ready for recording, to the City after approval by the City Engineer for area encumbered and City Attorney as to form. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet City standards. (Site Development Div./JJD)